

AN ACT concerning weights and measures.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Weights and Measures Act is amended by  
changing Section 40 as follows:

(225 ILCS 470/40) (from Ch. 147, par. 140)

Sec. 40. Inspection fee; Weights and Measures Fund.  
Except as otherwise provided in Section 43, the Director and  
each sealer shall collect and receive from the user of  
weights and measures a commercial weighing or measuring  
device inspection fee. For the use of its Metrology  
Laboratory, the testings of weights and measures and such  
other inspection and services performed, the Department shall  
set a fee, the amount of which shall be according to a  
Schedule of Weights and Measures Inspection Fees established  
and published by the Director. The fees so collected and  
received by the State shall be deposited into a special fund  
to be known as the Weights and Measures Fund. All weights  
and measures inspection fees, metrology fees, weights and  
measures registrations, and weights and measures penalties  
collected by the Department under this Act shall be deposited  
into the Weights and Measures Fund. The amount annually  
collected shall be used by the Department for activities  
related to the enforcement of this Act and the Motor Fuel and  
Petroleum Standards Act, and for the State's share of the  
costs of the Field Automation Information Management project.  
No person shall be required to pay more than 2 inspection  
fees for any one weighing or measuring device in any one year  
when found to be accurate. When an inspection is made upon a  
weighing or measuring device because of a complaint by a  
person other than the owner of such weighing or measuring

device, and the device is found accurate as set forth in Section 8 of this Act, no inspection fee shall be paid by the complainant. Any time a weighing or measuring device is found to be inaccurate, the user shall pay the inspection fee.

If any person fails or refuses to pay a fee authorized by this Section, the Department may prohibit that person from using commercial weighing and measuring devices.

(Source: P.A. 91-704, eff. 7-1-00; 92-676, eff. 7-16-02.)